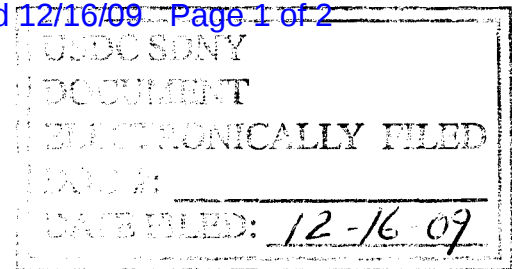


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA :
 :
-v- :
 :
ALAN QUINONES, :
 :
Defendant. :
-----X



00 CR 761 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On December 7, 2009, defendant Alan Quinones requested leave to adopt his co-defendant Diego B. Rodriguez's November 10, 2008 motion for the appointment of counsel pursuant to 18 U.S.C. § 3006A and for permission to proceed in forma pauperis. Section 3006A permits the appointment of counsel in proceedings pursuant to 28 U.S.C. § 2255 if "the interests of justice so require," 18 U.S.C. § 3006A, and a defendant may proceed in forma pauperis only if his or her claim has an "arguable basis in law or fact." Seimon v. Emigrant Savs. Bank (In re Seimon), 421 F.3d 167, 169 (2d Cir. 2005). On February 2, 2009, the Court granted defendant Rodriguez's motion after reviewing the grounds for his putative section 2255 petition and finding that he had satisfied the above standards. In light of that determination, the Court is satisfied that defendant Quinones's request likewise satisfies the above standards and hereby grants defendant's motions for appointment of counsel and permission to proceed in forma pauperis.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
December 16, 2009